



Exide Battery Inquiry Response EPA Region 4

- 10/10/03 Phil Vorsatz notified L'Tonya Spencer/Yvonne O. Jones of inquiry concerning the Exide Battery Site. Yvonne O. Jones and L'Tonya Spencer spoke with Ralph Howard concerning the inquiry.
- 11/04/03 Ralph Howard responded as follows:
- 10/22/03 Ralph spoke with John Cobb of Appalachia III district of SCDHEC. Mr. Cobb and another staff member will go out and speak to (b)(6) Personal Privacy or (b)(6) Personal Privacy to address issues.
 - Ralph drafted an e-mail response to be reviewed by our attorney, due to the fact that the inquirer has obtained legal counsel.
 - Ralph stated in response that he would volunteer to meet with the inquirer, (b)(6) Personal Privacy and/or (b)(6) Personal Privacy, and their legal counsel to go through releaseable files.
 - Ralph also suggested a letter that may read as follows:

If we are going to respond via email, I recommend a short note from the HQ person, along these lines below.

Rolando: The email requestor has retained counsel and I request you or someone review what I say here, part of this is legal.

"Dear (b)(6) Personal Privacy (b)(6) Personal Privacy).

We have consulted with US EPA Region 4 staff about the Exide Battery Site. A Region 4 RPM familiar with the Site has been advised that staff of the Appalachia III district of the South Carolina Department of Health and Environmental Control (SCDHEC) have contacted you, or are now contacting you, about your questions concerning the Site.

We have reviewed Region 4 files on the Site and can summarize the regulatory history as follows. In general, the Site was regulated over the years by the State (i.e. SCDHEC), both under Federal and State hazardous waste laws. SC is authorized to administer the provisions of the Resource Conservation and Recovery Act (RCRA), the main Federal law regulating active hazardous waste-handling facilities. They also used other State authorities which govern hazardous materials handling, and industrial wastewater requirements, in dealing with the Exide plant. At various times (1985, 1989-90, 1993-94) the Site was evaluated under Superfund with a focus on whether it should be investigated and cleaned up under Superfund authorities, or remain under State authority as long as effective progress was maintained by the facility owner/operator. Based on EPA's judgements, in general, the latter course was followed.

However, EPA did determine in 1994 that an Emergency Removal of surface soils was necessary at the Westgate Mobile Home Park property, adjoining the Site. Exide Battery declined to conduct this operation and maintained that there was no link between the facility and lead concentrations in the affected soils. EPA completed the removal of approximately 1200 tons of lead-contaminated soil in September 1994. EPA later recovered the bulk of its costs for the removal action and an associated air contamination study that linked Exide to the trailer park.

[Here we would add a paragraph about who (b)(6) Pe can contact about (b)(6) Pe health issues (I have no idea on that; ATSDR?) and /or offer to assist (b)(6) Pe with getting copies of EPA's file material at R4, through FOIA.]

- 11/05/03 Tracy Shelley with SCDHEC responded as follows:
- SCDHEC has been in touch with this (b)(6) Personal Priv before.
 - SCDHEC has met internally and would like to meet with the concerned parties. In preparation, they are gathering a time line of information, that has been requested, to share with them and address their concerns.
 - Nancy (Whittle?) Has spoken with the concerned parties. One of the concerns include why some homes were torn down in King Acres. The (b)(6) Personal Priv now lives in the state of Florida.
 - Ralph was invited to participate in the meeting with the concerned parties.
- 11/21/03 Alan Newman, Region 4 - EPA, RCRA
Responded to complaint from (b)(6) Personal Privacy as follows:
- Confirmed that the complaint was received.
 - Stated that two inspectors from the State of South Carolina responded to the complaint.
 - Stated that there was no evidence of hazardous waste dumping at the site during the inspection of the facility on November 4, 2003.
- 12/03/03 L'Tonya Spencer followed up with Ralph Howard to find out what has happened since the initiation of the inquiry. Ralph still has not heard anything back from SCDHEC on whether or not they met with them to discuss the issues.



Ralph Howard

12/03/2003 12:48 PM

To: LaTonya Spencer/R4/USEPA/US@EPA
cc:
Subject: Complaint

FYI - have a look.

----- Forwarded by Ralph Howard/R4/USEPA/US on 12/03/2003 12:48 PM -----



Alan Newman

11/21/2003 10:55 AM

To: (b)(6) Personal Privacy
cc: Ralph Howard/R4/USEPA/US@EPA
Subject: Complaint

(b)(6) Personal Privacy,

EPA received your complaint about the Excide Technologies site in Greer. Two inspectors from the State of South Carolina responded to your complaint. There was no evidence of hazardous waste dumping at the site during their inspection of the facility on November 4, 2003.

Ralph Howard in EPA's Superfund Program has been working on this site. You can reach Ralph at (404) 562 - 8829.

Alan Newman
RCRA Enforcement and Compliance Branch, EPA Region 4
61 Forsyth Street, Atlanta, GA 30303 (404) 562 - 8589
newman.alan@epa.gov



Ralph Howard

11/05/2003 12:19 PM

To: Philip Vorsatz/R4/USEPA/US@EPA
cc: LaTonya Spencer/R4/USEPA/US@EPA
Subject: Re: Complaint, Exide Battery

Phil - I was incorrect and the did NOT talk to the (b)(6) Person or any other resident. Haven't figured out the misunderstanding, they were clearly going to speak to (b)(6) Person I thtought.

Back to square one.

----- Forwarded by Ralph Howard/R4/USEPA/US on 11/05/2003 12:17 PM -----



Alan Newman

11/05/2003 10:02 AM

To: Ralph Howard/R4/USEPA/US@EPA
cc:
Subject: Re: Region 4 Tips and/or Complaints

FYI

Alan Newman

----- Forwarded by Alan Newman/R4/USEPA/US on 11/05/2003 10:00 AM -----

Alan,
How are things in the big city of Hot-lanta? Same ol' stuff over here. Trying to talk myself into believing that my Gamecocks aren't really that bad and maybe they can win 2 of their last 3.
Anyway Susie and I went out to Exide yesterday and I spoke with Ralph Howard after words to let him know what we were doing. Nothing really happening out there other than Exide treating their storm water. Other than them faxing me their last manifest nothing exciting happened. Let me know if need anything else.
John

>>> <Newman.Alan@epamail.epa.gov> 10/06/03 05:29AM >>>

John,

Could one of you follow up on this complaint.
I do not know which district this one is in.

Please let me know what you find out.

Thanks,

Alan Newman

----- Forwarded by Jewell Grubbs/R4/USEPA/US on 09/29/03 09:35 AM -----

The following is feedback from the OECA web site. You will NOT be able to reply to this message!

It was sent to the following recipients: allenbach.becky@epa.gov

Please use the following address (provided by the user) when responding to this message: (b)(6) Personal Privacy

Name:

(b)(6) Personal Privacy

Reply via email to:

(b)(6) Personal Privacy

Address: (b)(6) Personal Privacy [REDACTED]

Referring Page: <http://www.epa.gov/compliance/complaints.html>

Subject: Region 4 Tips and/or Complaints

Telephone Number: (b)(6) Personal Privacy

Alleged Violators Name: Exide Technologies

Alleged Violators Address: Old Chick Springs Road Greer, South Carolina 29651

Tip/Complaint: hazardous waste dumping and cleanup



Ralph Howard
11/05/2003 02:14 PM

To: Philip Vorsatz/R4/USEPA/US@EPA
cc: LaTonya Spencer/R4/USEPA/US@EPA
Subject: Re: Exide Battery, SC complaint

FYI, from my teammate on the SC SDWT, regarding the Exide thing.

----- Forwarded by Ralph Howard/R4/USEPA/US on 11/05/2003 02:13 PM -----



Tracy Shelley
<SHELLETL@dhec.sc.gov>
11/05/2003 12:54 PM

To: Ralph Howard/R4/USEPA/US@EPA
cc:
Subject: Re: Exide Battery, SC complaint

Hi Ralph,

I know that DHEC has been in touch with this (b)(6) Personal Priv. We have met internally and will likely meet with the concerned (b)(6) Personal Priv. We are gathering a time line together to share with (b)(6) Personal Priv. I think the plan is to gather some of the information (b)(6) Personal Priv. requested and the speak with (b)(6) Personal Priv. again. One thing (b)(6) Personal Priv. spoke about was why some houses in Kings Acres were torn down. I think we did get that information to (b)(6) Personal Priv. I think we will meet with this (b)(6) Personal Priv. to see if we can answer the questions (b)(6) Personal Priv. has for DHEC. If you want, you could probably be a part of this meeting. The (b)(6) Personal Priv. who lived in Kings Acres, now lives in Florida and we have asked (b)(6) Personal Priv. when she would like to meet with us. I do not know if (b)(6) Personal Priv. has gotten back to us with a date or not. (b)(6) Personal Priv. has talked with Nancy. I will take a look at what you have so far and see if Land and Waste has compiled a time line yet. Thanks for keeping me in the loop.

Tracy

>>> <Howard.Ralph@epamail.epa.gov> 11/05/03 12:24PM >>>

Hello there Team-ster,

This is about that business with Exide. We (EPA) do not seem to have responded, best I can tell. I'll keep you posted.

I sne this yesterday, internally, to the Sec. Chf. responsible for Brownfields & community (or at least I think he is). Anyway, I was incorrect, District people (as you may've known) did NOT talk to the (b)(6) Personal Priv. Has anyone?

----- Forwarded by Ralph Howard/R4/USEPA/US on 11/05/2003 12:19 PM -----

Ralph Howard



Ralph Howard

11/04/2003 10:38 AM

To: Philip Vorsatz/R4/USEPA/US@EPA
cc: LaTonya Spencer/R4/USEPA/US@EPA, StephanieY
Brown/R4/USEPA/US@EPA, Rolando
Bascumbe/R4/USEPA/US@EPA
Subject: Email response re Exide Battery, SC

Phil,

I apologize for not following this up, but was out on travel the week of the 20th October and then out sick all of the week 27-31 October . . .

I spoke to John Cobb of Appalachia III district of SCDHEC on 22 October. He and another staffer are going out to Exide Battery today to meet with (b)(6) Personal Privacy, or perhaps it is (b)(6) Personal Privacy I'm not sure (not clear from App III).

Now I don't believe this will resolve (b)(6) Personal Privacy / (b)(6) Personal Privacy issues, but it is the best type of meeting for them to have, and to be advised of what all the State has done there over the years. Bottom line is that EPA evaluated the site and determined it was not suitable or eligible for placement on the NPL; did a removal action for surface soil in an adjoining trailer park in 1994; cost-recovered for the removal (99? 2000?); and eventually NFRAPed the site.

If we are going to respond via email, I recommend a short note from the HQ person, along these lines below.

Rolando: The email requestor has retained counsel and I request you or someone review what I say here, part of this is legal.

"Dear (b)(6) Personal Privacy,

We have consulted with US EPA Region 4 staff about the Exide Battery Site. A Region 4 RPM familiar with the Site has been advised that staff of the Appalachia III district of the South Carolina Department of Health and Environmental Control (SCDHEC) have contacted you, or are now contacting you, about your questions concerning the Site.

We have reviewed Region 4 files on the Site and can summarize the regulatory history as follows. In general, the Site was regulated over the years by the State (i.e. SCDHEC), both under Federal and State hazardous waste laws. SC is authorized to administer the provisions of the Resource Conservation and Recovery Act (RCRA), the main Federal law regulating active hazardous waste-handling facilities. They also used other State authorities which govern hazardous materials handling, and industrial wastewater requirements, in dealing with the Exide plant. At various times (1985, 1989-90, 1993-94) the Site was evaluated under Superfund with a focus on whether it should be investigated and cleaned up under Superfund authorities, or remain under State authority as long as effective progress was maintained by the facility owner/operator. Based on EPA's judgements, in general, the latter course was followed. However, EPA did determine in 1994 that an Emergency Removal of surface soils was necessary at the Westgate Mobile Home Park property, adjoining the Site. Exide Battery declined to conduct this operation and maintained that there was no link between the facility and lead concentrations in the affected soils. EPA completed the removal of approximately 1200 tons of lead-contaminated soil in September 1994. EPA later recovered the bulk of its costs for the removal action and an associated air contamination study that linked Exide to the trailer park.

[Here we would add a paragraph about who (b)(6) Pe can contact about (b)(6) Pe health issues (I have no idea on that; ATSDR?) and /or offer to assist (b)(6) Pe with getting copies of EPA's file material at R4, through FOIA.]

From my standpoint as an RPM and technical person, I do not know what else we should say.

Regarding the EPA regional files, I would certainly volunteer to meet the (b)(6) Pe or (b)(6) Pe attorney to go through the (releasable, non-withheld) files with them and assist them.

I'll keep you abreast of what I hear back from SCDHEC App III regarding this. Phil, please let me know what else if anything I can do to assist.

(Note - attached again is my technical summary, prepared I think for you Rolando, in support of some legal letter, in Sept 1999.)

+ - - - - - +
Ralph O. Howard, Jr., P.G.
Remedial Project Manager
U.S. Environmental Protection Agency, Region 4
Waste Management Division, North Site Management Branch
Sam Nunn - Atlanta Federal Center
61 Forsyth Street
Atlanta, Georgia 30303
Email - Howard.Ralph@epa.gov
Phone 404/562-8829, fax -8788
+ - - - - - +



ExTecSum.wpd

Philip Vorsatz



Philip Vorsatz

10/10/2003 10:42 AM

To: YvonneO Jones/R4/USEPA/US@EPA, LaTonya
Spencer/R4/USEPA/US@EPA
cc: StephanieY Brown/R4/USEPA/US@EPA
Subject: FW: Inquiry

Yvonne, LaTonya; Can one of you follow-up on this (LaTonya, please coordinate with Yvonne).
(Note: Stephanie is out.)

Philip H. Vorsatz, Chief
Brownfields/State Support Section
US EPA, Region 4, Atlanta, GA
Phone: (404) 562-8789 Fax: (404) 562-9962
E-mail: vorsatz.philip@epa.gov

----- Forwarded by Philip Vorsatz/R4/USEPA/US on 10/10/2003 10:40 AM -----

Suzanne Wells

10/09/2003 04:08 PM

To: Philip Vorsatz/R4/USEPA/US@EPA
cc: Margret Brown/DC/USEPA/US@EPA, Gwen_Doddy_lowit@sra.com
Subject: FW: CERCLIS

Phil,

This inquiry has come into headquarters. Has the region been contacted by this person about their concerns? If not, could someone contact [REDACTED]? I briefly checked and saw there's one NPL site in Greer, SC, but it doesn't look like it's one associated with Exide Battery. Thanks.

Suzanne Wells
Director

Community Involvement and Outreach Center
(703) 603-8863
(703) 603-9100 (fax)

----- Forwarded by Suzanne Wells/DC/USEPA/US on 10/09/2003 12:40 PM -----



Margret Brown
10/02/2003 07:26 AM

To: Suzanne Wells/DC/USEPA/US@EPA
cc:
Subject: FW: CERCLIS

Is this one you can respond to?

Margret L. Brown
brown.margret@epa.gov
USEPA (5202G)
703-603-8876
FAX: 703-603-9133

----- Forwarded by Margret Brown/DC/USEPA/US on 10/02/2003 07:28 AM -----



"Doddy-Lowit, Gwen"
<Gwen_Doddy_Lowit@sra.com>

10/01/2003 03:58 PM

To: Margret Brown/DC/USEPA/US@EPA
cc: "Ritter, A" <Andrea_Ritter@sra.com>
Subject: FW: CERCLIS

Hello Margret! I received this e-mail back from the requestor. I have entered this into the Tracking system.

Thank you.
Gwen

-----Original Message-----

From: (b)(6) Personal Privacy [mailto:(b)(6) Personal Privacy]
Sent: Wednesday, October 01, 2003 6:48 PM
To: Doddy-Lowit, Gwen
Subject: Re: CERCLIS

Whom it may concern:

My name is (b)(6) Personal Privacy. At the age of four (4), my (b)(6) Pers moved into a house that was next to Exide Battery, located in Greer, SC. The Year was 1969. My (b)(6) Pers had three (3) daughters. The oldest, (b)(6) Personal Privacy was one (1) year older than me. We played in the backyard like little kids do; ate mud pies, played in the spring that ran behind their home and rolled in barrels that were lying in the river. Anyway, three (3) years ago we found out that Exide Battery had an unlined lagoon in the back of their plant where they dumped their waste materials. Lead, Mercury and other heavy metals were placed there. In 1972, DHEC told them to clean up the lagoon and to tell all of the residents in the area what they had done, but they never told anyone.

To make a long story short, our family has suffered with health problems ranging from seizures, retardation, kidney failure, bone disease, ADHD, ADD, and the list goes on. I'm not sure what you

can do to help, either to get the story to the public or guide us in the direction we need to be going.

Our family has hired an attorney. His name is David Thomas and he is a State Senator for the state of SC. Mr. David Thomas wrote Exide Battery a letter telling them that we were bringing a suit against them and they filed bankruptcy one (1) month later. Now our case is in the hands of the bankruptcy courts.

Please help this family get the word out about the effects about heavy metal poisoning. Our family would love to have an interview with you and discuss the issue.

I have three (3) children now, ages 14, 12, and 10. We all have multiple problems and the cost to get treatment is outrageous that my (b)(6) Personal Privacy and I have to wait on the court case to be settled first.

All we are asking is for someone to listen and care.

Please Help Us!!! All we are asking is to be heard.

Sincerely,

(b)(6) Personal Privacy

P.S. Today I received a letter telling me that my drivers license had been suspended until further notice because I had and will always have seizures, thanks to Exide Battery. All I wanted was to be a normal child and a normal adult. Not only do I have to pay for their problem, but my children have recently been tested and they have high levels of lead and mercury also. They received the heavy metals trans-placentally from me.

Please Help our "Family"

Thank you for reading.

Sincerely,

(b)(6) Personal Privacy

To Whom It may Concern:

The letter above is one my niece wrote about our family. Like (b)(6) Per said, we are only asking someone to help our family deal with this awful thing that has happened to us. Please know that anything you can do will be more than greatly appreciated! God Bless You!!!

Thank you.

(b)(6) Personal Privacy

(b)(6) Personal Privacy

----- Original Message -----

From: Doddy-Lowit, Gwen

To: (b)(6) Personal Privacy

Cc: 'brown.margret@epa.gov'

Sent: Wednesday, October 01, 2003 5:53 AM

Subject: CERCLIS

To expedite your request for Superfund information, this message is being transmitted from a non-EPA location. Please address all comments and replies to brown.margret@epa.gov.

Dear (b)(6) Personal Privacy

In response to your request of September 26, 2003, the following completed actions were found in the Archive database as of September 3, 2003, for the Exide Battery Corp. site: a discovery on June 1, 1981; a preliminary assessment on May 29, 1985; a site inspection on February 8, 1990; and an archive site on July 15, 1993. The Archive designation means that, to the best of EPA's knowledge, assessment at a site has been completed and that EPA has determined no further steps will be taken to list this site on the National Priorities List (NPL), unless information indicates this decision was not appropriate or other considerations require a recommendation for listing at a later time. This decision does not necessarily mean that there is no hazard associated with a given site; it only means that, based upon available information, the location is not judged to be a potential NPL site.

For further information on this site, please contact the EPA Region 4 Site Assessment Manager (SAM), Yvonne Jones, at 404-562-8793. For reports related to this site, please contact the EPA Region 4 Freedom of Information Act (FOIA) Officer, Damita David, at 404-562-8034 or email r4foia@epamail.epa.gov.

We hope that you find this information useful and appreciate any comments that you may have; please share your comments and suggestions by visiting the Customer Satisfaction Survey at www.epa.gov/superfund/sites/survey. If you have any questions, please contact me at brown.margret@epa.gov or our support contractor at 703-413-0223.

Sincerely,

/signature on file/

Margret Brown
Information Management Center
Office of Superfund Remediation
Technology and Innovation
US EPA